United Nations CED/C/SR.183

International Convention for the Protection of All Persons from Enforced Disappearance

Distr.: General
12 October 2016

Original: English

UNITED NATIONS
DEPOSITORY

NOV 02 2016

UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

Committee on Enforced Disappearances

Eleventh session

Summary record of the 183rd meeting*

Held at the Palais Wilson, Geneva, on Thursday, 6 October 2016, at 10 a.m.

Chair: Mr. Corcuera Cabezut

Contents

Consideration of reports of States parties to the Convention (*continued*)

Initial report of Colombia

* No summary record was issued for the 182nd meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.16-17369 (E) 121016 121016

1617369

Please recycle

The meeting was called to order at 10 a.m.

Consideration of reports of States parties to the Convention (*continued*)

Initial report of Colombia (CED/C/COL/1; CED/C/COL/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Colombia took places at the Committee table.*

2. **Ms. Londoño Soto** (Colombia), introducing the initial report of Colombia (CED/C/COL/1), said that her Government was resolved to eliminate the scourge of enforced disappearance and to provide assistance to the victims of that abominable crime, as evidenced by its accession to the Convention and other international instruments, including the Inter-American Convention on Forced Disappearance of Persons and the Rome Statute of the International Criminal Court. National legislation had been aligned with international standards as part of a comprehensive approach based on human rights, in particular the rights of victims.

3. After 50 years of internal conflict, a negotiated peace agreement offered the best guarantee for preventing further cases of enforced disappearance and protecting the rights of victims and their families; and that had been the goal of successive governments over the past 20 years. Despite the rejection of the peace agreement in the recent referendum, her Government remained committed to the quest for peace and had invited all stakeholders to come together to seek consensus on a modified peace agreement. It was important to note that the bilateral ceasefire agreed between the Government and the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-EP), which had resulted in a significant decline in human rights violations against the civilian population and had brought an end to the conflict in some of the regions most afflicted by violence, continued to hold.

4. The preparation of the State party's report had provided an opportunity to engage in a frank inter-institutional dialogue on how to improve implementation of the Convention. There was a clear need for better quality and more complete data on all victims. Although the National Missing Persons Register was the official central repository, there were considerable discrepancies in the data referred to it by the various bodies that dealt with cases of enforced disappearance. The Register, which was linked to the Disappeared Persons Genetic Profile Bank, had been instrumental in locating and identifying many disappeared persons or their remains and it could be accessed both by the authorities and by the family members of victims. With a view to making the Register an even more effective tool, measures had been adopted to improve the quality of the data it contained and increase the number of sources that provided data.

5. In the search for disappeared persons, it was important to work closely with the families of victims and with other actors, such as combatants who had been demobilized under the Justice and Peace Act. The Government had made helping the victims of enforced disappearance and their families a priority by way of a two-pronged approach: searching for disappeared persons and providing reparation for victims, while at the same time fully investigating disappearances so as to bring those responsible to justice.

6. Significant efforts had been deployed to search for disappeared persons and assist victims. In 2000, the Disappeared Persons Investigative Commission had been established as an inter-institutional facilitation and coordination body that included representatives both of civil society and of victims; it also served as a forum for the formulation of policies. The urgent search mechanism, in turn, had been designed as a tool for ensuring a rapid response by the authorities to an enforced disappearance and securing the release of the victim. The Attorney General's Office and the National Institute of Forensic Medicine and Science employed the most modern investigative techniques and followed international standards,

including the Model Protocol for a Legal Investigation of Extra-legal, Arbitrary and Summary Executions (Minnesota Protocol), to locate and identify human remains. The Disappeared Persons Genetic Profile Bank, for instance, contained more than 25,000 family genetic profiles and would be instrumental in the identification of human remains.

7. In parallel, the Government was taking steps to lessen the emotional burden on victims' families. Act No. 589 (2000) and Act No. 1531 (2012) respectively had authorized the interim use and administration of disappeared persons' property and provided for the issuance of a declaration of absence by reason of enforced or other form of involuntary disappearance, thereby addressing part of the problem of the legal status of disappeared persons and their families. Ruling C-394/07 of the Constitutional Court had granted the families of disappeared persons the same benefits as were provided under Act No. 986 (2005) to victims of kidnapping and their families, including with regard to civil responsibility, payment of the disappeared person's salary, pension and other benefits, health and education rights and tax status.

8. Turning to the issue of reparation for victims, she said that Act No. 1448 (2011) had provided an internationally recognized model for comprehensive assistance to and reparation for victims of the armed conflict. The Act was, to some extent, an instrument of transitional justice in recognition of the need to provide comprehensive and immediate assistance to victims without waiting for the final outcome of the related investigations. That assistance included compensation, rehabilitation, restitution, measures of satisfaction, guarantees of non-repetition and, importantly, psychosocial support, which needed to be improved and made more widely available to address the trauma caused by enforced disappearance.

9. It was in its efforts to ensure full investigations and access to justice that the Government faced the greatest challenges, owing to the nature of enforced disappearance, although considerable strides had been made in that regard. National legislation had been fully aligned with the provisions of articles 2 and 3 of the Convention: the commission of an act of enforced disappearance had been defined as a crime in the Criminal Code, and the penalty was increased if an agent of the State was involved in or had knowledge of such act. The data compiled on enforced disappearance included acts perpetrated by individuals as well as those committed by or with the support of State actors. The National Plan on the Search for Disappeared Persons, which set out the methodology to be followed by all courts, defined four steps in the investigation: collection of information; verification and analysis of that information; recovery, examination and identification of the individual or of his or her remains; and final disposition of the remains. Specially trained units had been set up across the country to investigate cases of enforced disappearance and identify and prosecute those responsible; they were assisted in their work by the Institute of Forensic Medicine.

10. In concluding, she said that the preparation of the State party report had provided an opportunity to identify not only the progress made towards implementation of the Convention but also the challenges remaining. Data and information systems, including the National Missing Persons Register, needed to be consolidated and improved to ensure that information was complete, accurate and pertinent. Cases of enforced disappearance needed to be investigated with greater diligence, as bringing perpetrators to justice was in itself a type of remedy for the victim as well as a guarantee of non-repetition.

11. The challenge of dealing with and eliminating enforced disappearance was an especially difficult one for a country like Colombia, which had experienced five decades of conflict. She however reiterated her Government's commitment to ensuring respect for the rights of its citizens. The dialogue with the Committee would strengthen ongoing efforts to improve the human rights situation of disappeared persons and their families and also protect the people of Colombia against the threat of enforced disappearance. It was in that

spirit that she looked forward to receiving the Committee's concluding observations and recommendations and to continued dialogue with the Committee.

12. **Mr. Huhle** (Country Rapporteur), expressing disappointment that in the recent referendum the Colombian people had rejected the proposed peace agreement between the Government and the FARC-EP, said that a peaceful resolution of the armed conflict would contribute greatly to the investigation and, ultimately, elimination of enforced disappearances and he welcomed the commitment of all parties to continue to work to achieve consensus on an amended agreement.

13. Turning to the State party's implementation of the Convention, he asked if the State party intended to make the declaration under article 31 regarding communications and, if not, what its reasoning was for not doing so. Referring to paragraph 2 of the list of issues (CED/C/COL/Q/1), which concerned requests for urgent action transmitted by the Committee to the State party, he regretted that only one of the eight requests transmitted had received a response and in that case the individual concerned had, sadly, been found dead. He wondered what the State party's specific experience had been with such requests and what measures were envisaged to ensure a prompter and more effective humanitarian response to them.

14. As to the role of the Disappeared Persons Investigative Commission in the handling of requests for urgent action, the State party had presented the Commission as a coordinating body but not necessarily one with decision-making capacity, especially in situations of urgency. What specific powers did the Commission have for taking action in response to such requests, and was it the appropriate body for taking such action? With regard to the urgent search mechanism that had been established, the Committee had received information, including from State bodies, that the mechanism was unable to fulfil its mandate. He wished to know what had been the State party's specific experience with a composite institution that had been created to ensure the investigation of cases of enforced disappearance and which, by nature, needed to take action quickly. Furthermore, would the Commission continue to exist under the terms of any peace agreement and, if so, what role would it play in any new system for the protection of victims' rights?

15. The relationship of the Commission and the new special unit to search for persons who had disappeared in the context of the armed conflict, both of which were extrajudicial bodies, with the official State body responsible for conducting investigations, which was in most cases the Attorney General's Office, was unclear and that presented a serious problem for conducting effective searches. How would the work of the two extrajudicial bodies be coordinated with that of the Attorney General's Office such that there would be no overlap of competencies and the search and investigation functions would complement — not obstruct — each other?

16. Referring to the matter of the existence of various registers containing different information on disappeared persons and the limited possibilities for harmonizing or integrating data, he said that, although under the Convention States parties were obliged to search for all disappeared persons and not just those who were victims of enforced disappearance, the Committee needed to receive disaggregated data, in particular by type and date of disappearance. The 90,000 unclassified cases of missing persons reported by the State party in its replies to the list of issues (CED/C/COL/Q/1/Add.1) covered the entire period from 1938 to 2016, so it was not possible to know when over time they had specifically occurred or in what circumstances. In that connection, the National Centre for Historical Memory had recently reported that there had been 60,000 cases of enforced disappearance since 1970.

17. Discrepancies had also been noted in the classification of disappearances as cases of enforced disappearance. As the State party had reported that between 2010 and 2015 over

4,000 cases of enforced disappearance had been prosecuted but sentences had been handed down in only 500 of those cases, he wished to know how those figures tallied with the information in the registers of the Institute of Forensic Medicine, the Attorney General's Office and other bodies in terms of how and when cases of disappearance were classified. In the same vein, many of the cases referred to as "false positives" appeared to have started out as cases of enforced disappearance, despite being investigated as cases of murder; he wished to know whether they were recorded in the database as enforced disappearances or under some other category. The harmonization of the various State-administered databases was particularly important to ensure that comprehensive information on cases of disappearance was easily accessible.

18. **Mr. Hazan** (Country Rapporteur), acknowledging the high quality of the State party's presentation and its expression of goodwill to engage in the dialogue, requested clarification regarding the punishment for perpetrators of enforced disappearance, given that the definition in the Criminal Code remained broad and included State and non-State actors. He wished to know how the criminal investigation and punishment for agents of the State differed from the investigation of cases and punishment handed down to other perpetrators of acts of enforced disappearance. As there was no specific reference in Colombian law to enforced disappearance as a crime against humanity and, consequently, no statute of limitations, how did that align with the legislative framework under the Rome Statute of the International Criminal Court, to which Colombia was a party? He asked whether bill No. 18 of 2012 to do away with the statute of limitations for the offences of genocide, crimes against humanity and other inhumane acts was still under consideration.

19. Further information would be welcome on how criminal responsibility of superiors would be incorporated into national law, how it would be applied and what the current obstacles were to its application. He wondered whether ruling C-388 of the Constitutional Court, in which the Court refrained from issuing an opinion on the substance of bills No. 211 and No. 268 of 2013 on investigating, charging and trying members of the armed forces, would stand in the way of the adoption of such legislation in future.

20. The Committee would appreciate receiving information on the results of the efforts to investigate presumed cases of enforced disappearance perpetrated by organized armed groups and by illegal armed groups subsequent to the demobilization of paramilitary organizations. Details would be particularly welcome on the number of victims found alive, how many had been found dead, whether any effective investigations had been conducted, whether any rulings had been issued and, if so, what sentences had been handed down and what reparation had been provided to victims and their families.

21. The Committee had been informed that cases relating to enforced disappearances were dealt with in a fragmented manner across various parts of the prosecution service and that there was no coordinated effort to group investigations by region or by suspected perpetrator. He asked how cases were distributed and whether the lack of coordination across investigations had an impact on searches. The Committee had heard as well that the prosecution service's enforced disappearances unit was underfunded. He wondered whether the very low number of sentences handed down, particularly among the armed forces, could be attributed to weaknesses in the investigation process. Lastly, he wished to know whether the officials in charge of investigations were granted access to the official files of the armed forces and intelligence services, as they could provide extremely useful information on crimes allegedly committed with involvement by the State.

22. He asked for an explanation of the State party's policy on the participation of victims in criminal proceedings. He also asked what was being done to strengthen the protection of witnesses and ensure that such protection was tailored to the real needs of the victims, as the Committee had been informed that witnesses were often the victims of harassment and attacks and that assessments of the threat to victims were often delayed. In

addition, witness protection programmes tended to involve the relocation of the witness and that could cause further distress, in particular if it impeded the individual's efforts to search for missing loved ones.

23. **Mr. Decaux** requested clarification on the implications of a recent decision to broaden the competence of military courts, given that the Committee's position on the matter was that military courts should not be involved in cases relating to suspected enforced disappearance. He also wished to know what measures were in place to prohibit interference from the military police or the military justice system in interaction with witnesses and the gathering of evidence at all stages in an investigation.

24. **Mr. Figallo Rivadeneyra**, referring to the figures on missing persons provided by the State party, said that the cases classified as "presumed enforced disappearance" included those perpetrated by illegal armed groups, which was a definition that no longer applied pursuant to the ruling of the Constitutional Court. He asked what measures were being taken to enforce the criminal responsibility of superiors under the Convention. He was particularly concerned about the lack of information pertaining to investigations ordered by the Inter-American Court of Human Rights into criminal responsibility of superiors in certain cases of enforced disappearance. Lastly, he wished to know the status of the two bills referred to in the State party's reply to question 9 in the list of issues and requested clarification on the use of military jurisdiction in respect of criminal responsibility of superiors.

25. **Mr. López Ortega**, referring to the State party's figure of 115,000 people who had disappeared between 1938 and 2016, of whom fewer than 24,000 were classified as cases of enforced disappearance with the direct or indirect involvement of the State, said that he wished to know what the circumstances were in the remaining 90,000 cases, in particular whether they could be attributed to paramilitary and illegal armed groups. He also wished to know what punishments were provided for the perpetrators of those crimes, whether State or non-State actors.

26. **Mr. Yakushiji** requested further information on the efforts to investigate acts defined in article 2 of the Convention that had been committed by illegal armed groups subsequent to the demobilization of paramilitary organizations.

27. **The Chair**, recalling that the Working Group on Enforced or Involuntary Disappearances had recommended, following its country visit to Colombia in 2015, that the Criminal Code should be amended to ensure differentiation between the definitions of enforced disappearances perpetrated by State and non-State actors, asked what measures had been taken to implement that recommendation and align the definitions of "enforced disappearance" and the perpetrators thereof with those contained in articles 2 and 3 of the Convention.

The meeting was suspended at 11.10 am and resumed at 11.35 a.m.

28. **Ms. Santa** (Colombia) said that enforced disappearance had been defined as a criminal offence in Colombia in accordance with the Convention. Under domestic law, the offence of enforced disappearance covered all forms of deprivation of liberty involving secret detention. Historically, in Colombia, offences of enforced disappearance had been committed not only by agents of the State but also, as could be seen from the jurisprudence of the Constitutional Court, by private individuals acting independently. Thus, the Criminal Code made provision for both of those types of perpetrator.

29. In accordance with the Rome Statute of the International Criminal Court, to which Colombia was a party, and with the jurisprudence of the Constitutional Court, there was no statute of limitations for crimes against humanity, which was a category that included enforced disappearance when it was widespread or systematic. Act No. 1719 of 2014 made

provision for a statute of limitations of 30 years for offences of enforced disappearance not deemed to be crimes against humanity.

30. As part of the country's justice and peace process, the concept of responsibility of commanders and other superiors contained in the Rome Statute had been further developed by the Attorney General's Office and it had been transposed into domestic legislation. The current status of the military criminal courts was set out in the Political Constitution of 1991: they were not competent to hear, investigate or hand down sanctions related to cases of crimes against humanity, crimes of genocide or war crimes, including cases of enforced disappearance.

31. In 2012, Act No. 975 of 2005 (the Justice and Peace Act) had been recast to include the approach of investigating macro patterns of criminality and identifying leaders of illegal armed groups. Consequently, the number of trials grouping together prioritized cases and targeting such leaders had increased significantly, as had the number of corresponding convictions. Measures had been taken as well to speed up the judicial process. To date, 48,502 cases of enforced disappearance had been dealt with under the justice and peace process and 166 persons had been convicted of that offence.

32. Under general criminal procedure, victims enjoyed the status of special intervening parties who could request evidence. As part of the justice and peace process, victims could attend voluntary depositions and attend hearings on reparations. Specific statistics on the number of victims having taken part in reparations hearings within the framework of the Justice and Peace Act and the number of corpses of victims found or exhumed would be provided to the Committee as soon as possible.

33. With the exception of cases falling under the justice and peace process, the Attorney General's Office was free to assign criminal cases to whichever unit it preferred. The Government was aware that such a situation impeded the efficient processing of criminal cases. The delegation had taken due note of the Committee's recommendations relating to the number of different units within the Attorney General's Office.

34. Public officials' access to information was governed by a number of statutory laws, in particular the Transparency Act and the Intelligence and Counter-intelligence Act. Under article 34 of the Intelligence and Counter-intelligence Act, the judicial authorities could not be legally prevented from accessing sensitive information. However, the Government was aware that a number of victims had claimed that they had met with obstacles when requesting information.

35. Currently, it was extremely difficult to say how all the numerous cases of so-called "false positives" had been classified. Owing to the discretionary powers of the Attorney General's Office, a wide variety of classifications had been employed, the main one being "killing of a protected person". Very few "false positives" had been recorded as cases of enforced disappearance.

36. **Mr. Valdés** (Colombia) said that the Institute of Forensic Medicine managed the National Missing Persons Register, which was used by the Disappeared Persons Investigative Commission. The Attorney General's Office maintained a register of missing persons that was based on the investigations it was currently carrying out and the corresponding victims identified. The two bodies were working to merge their registers with those of a number of other State bodies, which recorded data in a variety of different ways, into a single register. When interviewing individuals reporting cases of missing persons, officials of the National Missing Persons Register classified such cases either as showing characteristics of an enforced disappearance or as having other characteristics. A number of subclassifications were employed, such as "No information", which accounted for one of the largest categories of cases. Individuals reporting cases of missing persons were often unable to provide additional information on victims or they preferred to

withhold such information because they did not trust the authorities. In addition, the families of disappeared persons often remained silent for fear of reprisals. The number of unidentified corpses found by the authorities pointed to significant underreporting of cases of disappearance.

37. A number of representatives of the families of missing persons worked with the Disappeared Persons Investigative Commission. The Commission facilitated inter-agency cooperation and the flow of information on missing persons but had no investigative powers. The urgent search mechanism had been set up within the Commission to ensure prompt action in cases of disappearance. Any competent unit or person, including mayors and municipal police officials, could trigger the mechanism. The Attorney General's Office was also informed of cases of missing persons and was empowered to carry out its own, more thorough searches. Efforts were ongoing to improve communications between municipalities and the central authorities, and training on how the mechanism operated had been provided to local authorities. Since 2007, the mechanism had been utilized on 1,607 occasions, but the units or persons triggering its use often subsequently failed to follow the reporting protocol of the National Missing Persons Register. Acknowledging that the Institute of Forensic Medicine needed to strengthen the Disappeared Persons Genetic Profile Bank, he said that the Institute had been working for five years to ensure that the families of victims were kept informed of any developments related to their cases.

38. **Ms. Londoño Soto** (Colombia) said that units of the Attorney General's Office specializing in transitional justice had located the bodies of 6,532 disappeared persons, 3,093 of whom had been identified and returned to their families. A further 1,446 bodies were awaiting final identification, while efforts to identify an additional 1,993 corpses had been unsuccessful.

39. **Ms. París** (Colombia) said that the Comprehensive Victim Support and Reparation Unit had set up a register of victims of enforced disappearance. The register listed some 46,000 direct victims of enforced disappearance and 118,000 indirect victims (family members). Under Act No. 1448 of 2011 (Victims and Land Restitution Act), the families of victims had access to assistance with regard to burials, health, education, the issuing of official documents, redress and rehabilitation.

40. **Ms. Santa** (Colombia) said that the State party had not previously made the declarations provided for in articles 31 and 32 of the Convention because work in the legislative and institutional spheres to ensure that Colombia met the obligations arising from the Convention had not yet been completed. The Government was of the view that the mechanisms required to meet those obligations had now been put in place.

41. During the discussions that had led to an agreement to create a special unit for locating persons who had disappeared in the context of the armed conflict, emphasis had been placed on the need to ensure the participation of victims in the process of searching for, locating, identifying and returning the remains of disappeared persons. It had been decided that the unit should be required to send periodic reports to relatives throughout the process as well as a final report, regardless of the outcome. Initially, consideration had been given to including victims among the members of the unit, but the final agreement stipulated that victims should perform an oversight role.

42. As part of the negotiations on the establishment of a special jurisdiction for peace, it had been agreed that cases of enforced disappearance should not be subject to amnesty and that State officials should receive differentiated but just treatment. The participation of victims had been acknowledged as fundamental in guaranteeing accountability.

43. **Ms. Londoño Soto** (Colombia) said that, up to 31 July 2016, there had been 74,831 reported cases of enforced disappearance and 82,505 recognized victims. Criminal

proceedings had been brought against 789 State officials, of whom 398 had been found guilty. A further 418 officials had been charged.

44. Persons facing an extraordinary or extreme risk received protection under a programme run by the National Protection Unit. Requests for protection could be made through any local, regional or national body and were evaluated within 30 days by a team that included a representative of the Ombudsman's Office. The protection afforded ranged from bulletproof vests to bodyguards.

45. The Constitutional Court had made clear that the judicial and administrative authorities could request access to State-held information. Preliminary discussions had been held on the possibility of drafting a comprehensive bill to facilitate access to information, which was currently governed by three separate laws.

46. **Mr. Hazan** said that the Committee had received reports that, in Buenaventura, paramilitary successor groups had killed and dismembered individuals in so-called *casas de pique*, or "chop houses", with the authorization, support or acquiescence of State officials and members of political parties. He asked the delegation to comment on those reports and to describe what had been done to end the violence, identify the victims and punish the perpetrators.

47. The delegation should also respond to reports that a member of the armed forces had recently been named as the head of a witness protection unit, which could make victims reluctant to request protection.

48. He asked whether the lack of specific provisions in the Criminal Code with regard to the responsibility of commanders and other superiors constituted an obstacle to accountability and whether isolated cases of enforced disappearance could fall under military jurisdiction.

49. With regard to the justice and peace process, he asked whether it was true that victims were involved more in civil matters, such as the granting of reparation, than in criminal matters, such as the cross-examination of witnesses and the rebuttal of evidence. In that connection, the delegation should comment on reports that the involvement of victims in the activities of the Disappeared Persons Investigative Commission had been hindered in practice by, inter alia, the overrepresentation of other stakeholders and instances of inappropriate treatment.

50. **Mr. Huhle** requested statistics on the number of cases of enforced disappearance that had been reported in recent years and on the number of persons who had been found, either dead or alive, through the urgent search mechanism.

51. **Mr. Figallo Rivadeneyra** said that he would appreciate a more detailed explanation of whether the State party was considering making the declarations provided for in articles 31 and 32 of the Convention.

52. Noting the importance of collecting information on the perpetrators of enforced disappearance, he asked what was being done to boost public confidence in the reporting mechanisms set up by the State.

53. **Mr. López Ortega** said that he had not heard a response to his request for statistics on the proportion of recorded cases of enforced disappearance that were directly or indirectly attributable to State officials and to non-State armed groups.

54. He also wished to know how the criminal responsibility of State officials was addressed in the peace agreement that had been negotiated, particularly in the light of reports that the implementation of that agreement could, in practice, result in impunity.

3 0112 115680537

55. **The Chair** asked whether the Constitutional Court rulings according to which the definition of enforced disappearance set out in article 165 of the Criminal Code was compatible with the international instruments that Colombia had ratified predated the entry into force of the Convention in Colombia. In that connection, would the Government take steps to bring the definition set out in the Criminal Code into line with the one set out in the Convention with reference to the perpetrators of enforced disappearance?

56. **Ms. Santa** (Colombia) said that the most important Constitutional Court ruling pertaining to the definition of enforced disappearance in the Criminal Code dated back to 2002 and that the Government would therefore evaluate the Committee's recommendation to bring that definition into line with the one set out in the Convention.

57. The Constitutional Court had stressed the need to strengthen the participation of victims in the justice and peace process. While it was true that victims could not cross-examine witnesses, they were fully fledged parties to judicial proceedings in most other senses.

58. The peace agreement that had been negotiated provided for the differentiated treatment and punishment of State officials. Given the recent rejection of the agreement, she was unable to elaborate for the time being.

59. **Mr. Valdés** (Colombia), confirming that there were multiple registers of victims of enforced disappearance, said that each was useful as it gave a unique perspective on the crime. Steps were being taken to clean up the National Missing Persons Register.

60. To reduce underreporting and boost public confidence in State reporting mechanisms, the Institute of Forensic Medicine and the Attorney General's Office, among others, had conducted joint campaigns to encourage the relatives of victims to report cases to the Institute even when criminal proceedings had not yet been initiated.

61. He said that statistics on the number of reported cases of enforced disappearance, which had fallen significantly since 2007, and on the number of persons found through the urgent search mechanism would be submitted in writing.

62. In Buenaventura, there had been three recorded cases of dismemberment in 2015 and six in 2014. All the victims had been identified and the perpetrators had been apprehended. Investigations had been launched and it had been concluded that the victims had been dismembered as a form of intimidation and as part of satanic rituals.

63. **Ms. Londoño Soto** (Colombia) said that the national police had intervened in Buenaventura as from when the first reports of human rights violations had been received in 2014. Up to July 2016, 516 suspected members of criminal gangs had been arrested and weapons and ammunition had been seized. Since 2014, 260 judicial proceedings had been brought in relation to human rights violations in Buenaventura.

64. The Disappeared Persons Investigative Commission was documenting cases of enforced disappearance in Buenaventura on the basis of relevant information submitted by local administrative authorities, public prosecutor's offices and victims and their relatives. The national police had launched three investigations into cases of enforced disappearance and had identified and arrested 17 suspects. While the number of cases of murder, extortion and enforced disappearance had diminished in recent years, the figures remained unacceptable.

65. To date, there had been no indication that paramilitary successor groups in Buenaventura had acted with the authorization, support or acquiescence of State officials or that there was a local or national policy in favour of their actions.

The meeting rose at 12.45 p.m.